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siderable number of towns are on the demesne of other lords than the king ; that the "customs," where these chance to have been recorded, have such a slight suggestion of anything military or royal, and that when the towns come to receive charters, it is the customs, franchises, gild merchant, and exemptions from jurisdiction that are legalized, no mention being made of royal rights or military interests. And yet his line of demonstration is such that an entirely new form of defense will have to be provided by those who hold a different view.

After all, it is not perhaps wise to try to estimate Professor Maitland's book by its definite teaching on individual questions. Different opinions will continue to be held on single points. What is of vastly more importance is his method. No subsequent study of these matters can fail to partake in some degree of the broad, comparative examination, the acuteness, the moderation, even of the brilliancy of Prof. Maitland's method of work. He has placed the study of Domesday and of the English institutions, for which it stands, upon an entirely different and a far higher plane.

E. P. C.

A TREATISE ON THE LAW AND PRACTICE OF FORECLOSING MORTGAGES ON REAL PROPERTY, AND OF REMEDIES COLLATERAL THERETO. With Forms. By CHARLES HASTINGS WILTSIE, of the Rochester Bar. With a Supplement, bringing the work down to March, 1897, and Additional Chapters on Mortgage Redemptions, by JAMES M. KERR, of the New York Bar. In Two Volumes. Vol. II. Rochester, N. Y.: Williamson Law Book Company. 1897.

The work by Mr. Wiltsie appeared in 1889, and now Mr. Kerr has undertaken to "bring it down to March, 1897," and has added ten chapters on "Mortgage Redemptions."

The law and practice respecting foreclosure vary greatly in the several states, inasmuch as they have been continuously the subject of statutory enactment. Any text-book, therefore, must necessarily have been largely a convenient digest of statutes and decisions rather than a study of principles. And this was the case with Mr. Wiltsie's work, which was an extremely intelligent and useful book for practical reference. The present supplement, entitled Volume II, digests the decisions since 1889 under various sections corresponding to those of the original work and does nothing more. There is the initial objection to this method that it is inconvenient in looking up a point, to be compelled in each case to look in two places, but there is a more fundamental objection. The law is not a dead thing with accretions from time to time, but it is an organic growth. Consequently, the presentation of the law as it was in 1889 with an estimate of its tendencies, followed by a digest of decisions since, simply leaves it to the practitioner to determine

the present law. Such a method of editing is, therefore, at once inconvenient and unscientific.

It is difficult to understand the principle upon which is based the supplementary portion upon what are termed "Mortgage Redemptions." It is apparent, that in any comprehensive survey of mortgage law, there is involved the consideration of the development from the common law conception of a mortgage as a sale upon condition strictly enforced, to the equitable doctrine "once a mortgage, always a mortgage." And mortgage foreclosure is simply the method of vesting in the mortgagee a title freed from the equity thus created. There can properly be no place for any supplemental chapters upon "Mortgage Redemptions," since a knowledge of the right of the mortgagor to redeem underlies the whole subject. However, the author has under this head considered the subject from the point of view of the mortgagor rather than that of the mortgagee, and has included a survey of the various statutes giving rights to a mortgagor to redeem after a so-called foreclosure.

On the whole, however, Mr. Wiltsie's work was of the greatest practical service to the practitioner, and Mr. Kerr's supplement will be indispensable to those who have used the former work.

C. H. B., Jr.

A TREATISE ON THE LAW OF BAILMENTS, INCLUDING CARRIERS, INNKEEPERS AND PLEDGE. By JAMES SCHOULER, LL.D. Boston: Little, Brown & Co. 1897. Third Edition.

Professor Schouler's works are well-known to the profession and his readers turn to his books with the confidence that they will there find the result of painstaking research and accurate scholarship. This is especially true of his text-book on Bailments, the third edition of which is before us. It will be remembered that the author's treatment of the subject includes a general discussion of the nature of bailment, of the various kinds of "ordinary bailments" and of what he designates as "Exceptional bailments." Under the third head appears Prof. Schouler's concise and accurate summary of the law of common carriers. In preparing the third edition, the author has added to this branch of his work a useful chapter on the Interstate Commerce Act and the judicial decisions which have been rendered in connection with it. This chapter makes the survey of the subject a complete one. After passing it in review before his mind's eye, the reader is led to ask whether the special development of bailment in the case of the carrier has not, in modern times, attained proportions which demand for its treatment a work separate and distinct from such a general treatise as this. In other words, can the law relating to carriers be advantageously discussed within such limits as Professor Schouler has been compelled to set for himself? He cannot be criticised for answering the question in the affirmative, inasmuch as he has succeeded so well in his efforts at condensed statement. At the same